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Attorneys for Complainant

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

DENNIS BIANCHI

9224 Via Colina  
La Mesa, CA 91941

Physical Therapist License No. PT 10168

Respondent.

Case No. 1D 2005 64187

OAH No. L2006020281

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical  
Therapy Board of California, Department of Consumer Affairs. He brought this action solely in  
his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the  
State of California, by E. A. Jones III, Deputy Attorney General.

2. Respondent Dennis Bianchi (Respondent) is representing  
himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about January 22, 1981, the Department of Consumer Affairs issued

1 Physical Therapist License No. PT 10168 to Dennis Bianchi (Respondent). The License was in  
2 full force and effect at all times relevant to the charges brought in Accusation No. 1D 2005  
3 64187 and will expire on March 31, 2007, unless renewed.

4 JURISDICTION

5 4. Accusation No. 1D 2005 64187 was filed before the Physical Therapy  
6 Board of California, Department of Consumer Affairs, and is currently pending against  
7 Respondent. The Accusation and all other statutorily required documents were properly served  
8 on Respondent on October 26, 2005. Respondent timely filed his Notice of Defense contesting  
9 the Accusation. A copy of Accusation No. 1D 2005 64187 is attached as exhibit A and  
10 incorporated herein by reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the charges and allegations  
13 in Accusation No. 1D 2005 64187. Respondent has also carefully read, and understands the  
14 effects of this Stipulated Settlement and Disciplinary Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the  
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
17 counsel at his own expense; the right to confront and cross-examine the witnesses against him;  
18 the right to present evidence and to testify on his own behalf; the right to the issuance of  
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
20 reconsideration and court review of an adverse decision; and all other rights accorded by the  
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
23 each and every right set forth above.

24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in  
26 Accusation No. 1D 2005 64187.

27 9. Respondent agrees that his Physical Therapist License is subject to  
28 discipline and he agrees to be bound by the Physical Therapy Board of California's imposition of

1 discipline as set forth in the Disciplinary Order below.

2 CIRCUMSTANCES IN MITIGATION

3 10. Respondent Dennis Bianchi has never been the subject of any disciplinary  
4 action. He is admitting responsibility at an early stage in the proceedings.

5 RESERVATION

6 11. The admissions made by Respondent herein are only for the purposes of  
7 this proceeding, or any other proceedings in which the Physical Therapy Board of California or  
8 other professional licensing agency is involved, and shall not be admissible in any other criminal  
9 or civil proceeding.

10 CONTINGENCY

11 12. This stipulation shall be subject to approval by the Physical Therapy Board  
12 of California. Respondent understands and agrees that counsel for Complainant and the staff of  
13 the Physical Therapy Board of California may communicate directly with the Board regarding  
14 this stipulation and settlement, without notice to or participation by Respondent or his counsel.  
15 By signing the stipulation, Respondent understands and agrees that he may not withdraw his  
16 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon  
17 it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement  
18 and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be  
19 inadmissible in any legal action between the parties, and the Board shall not be disqualified from  
20 further action by having considered this matter.

21 13. The parties understand and agree that facsimile copies of this Stipulated  
22 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same  
23 force and effect as the originals.

24 14. In consideration of the foregoing admissions and stipulations, the parties  
25 agree that the Physical Therapy Board of California may, without further notice or formal  
26 proceeding, issue and enter the following Disciplinary Order:

27 DISCIPLINARY ORDER

28 IT IS HEREBY ORDERED that Respondent Dennis Bianchi, holder of Physical

1 Therapist License No. PT 10168, shall be publicly reproved by the Physical Therapy Board of  
2 California for violating Business and Professions Code sections 2630 and 2660 and 2661 in that  
3 respondent was convicted of a crime substantially related to the qualifications, functions or duties  
4 of a physical therapist, to wit, vandalism, as set forth in Accusation 1D 2005 64187, and shall  
5 comply with the following terms and conditions. A copy of the public reproval is attached as  
6 Exhibit B and is incorporated here as if fully set forth.

7           1.     COST RECOVERY The Respondent is ordered to reimburse the Board  
8 the actual and reasonable investigative and prosecutorial costs incurred by the Board in the  
9 amount of \$2500.00. If Respondent pays \$300.00 within ninety (90) days of the effective date of  
10 this stipulation, the balance shall be forgiven. Failure to timely make the \$300.00 payment  
11 constitutes a material breach of this order and shall cause the whole amount (\$2500.00) to be  
12 due and payable.

13           2.     WRITTEN EXAM ON THE LAWS & REGULATIONS GOVERNING  
14 THE PRACTICE OF PHYSICAL THERAPY Within 90 days of the effective date of this  
15 decision, Respondent shall take and pass the Board's written examination on the laws and  
16 regulations governing the practice of physical therapy in California. If Respondent fails to pass  
17 the examination, Respondent shall be suspended from the practice of physical therapy until a  
18 repeat examination has been successfully passed. Failure to comply with this condition  
19 constitutes a material breach of this order.

20           3.     ANGER MANAGEMENT CLASS Within 30 days of the effective date  
21 of this Decision, respondent shall submit to the Board, or its designee, for prior approval, an  
22 anger management class. Within 90 days from the effective date of this decision, respondent  
23 shall enroll and participate in the approved anger management class at Respondent's cost.  
24 Respondent shall supply to the Board, or its designee, documentation verifying satisfactory  
25 completion of the class. Failure to comply with this condition constitutes a material breach of  
26 this order.

27           4.     PRACTICE OR PERFORMANCE OF PHYSICAL THERAPY WHEN  
28 SUBJECT TO PUBLIC REPROVAL It is not contrary to the public interest for the Respondent

1 to practice and/or perform physical therapy after issuance of the public reproof. Accordingly, it  
2 is not the intent of the Board that this order or the fact that the Respondent has been publicly  
3 reproofed shall be used as the sole basis for any third party payor to remove Respondent from any  
4 list of approved providers.

5           5.     FAILURE TO COMPLY WITH ORDER A material breach by  
6 Respondent of this order shall constitute unprofessional conduct and shall be a basis for further  
7 disciplinary action by the Board. In such circumstances, the Complainant may reinstate the  
8 Accusation in case number 1D 2005 64187, file an amended accusation and/or file a  
9 supplemental accusation alleging any material breach of this order by Respondent as  
10 unprofessional conduct.

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13                                   ACCEPTANCE

14           I have carefully read the Stipulated Settlement and Disciplinary Order. I  
15 understand the stipulation and the effect it will have on my Physical Therapist License. I enter  
16 into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,  
17 and agree to be bound by the Decision and Order of the Physical Therapy Board of California.

18 DATED: July 11, 2006 .

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21                                   Original Signed By: \_\_\_\_\_  
22                                   DENNIS BIANCHI (Respondent)  
23                                   Respondent

24  
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27                                   ENDORSEMENT

28           The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully

1 submitted for consideration by the Physical Therapy Board of California.

2 DATED: July 25, 2006.

3 BILL LOCKYER, Attorney General  
4 of the State of California

5  
6 Original Signed By:  
7 E. A. JONES III  
8 Deputy Attorney General

9 Attorneys for Complainant

10 DOJ Matter ID: LA2005600804  
11 Bianchi Stipulated Decision.wpd

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**Exhibit A**

**Accusation No. 1D 2005 64187**

**Exhibit B**  
**Public Reproval**



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PHYSICAL THERAPY BOARD OF CALIFORNIA  
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In the Matter of the Accusation Against:

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OAH No. L2006020281

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Physical Therapy Board of California, as its Decision in this matter.

This Decision shall become effective on October 16, 2006.

It is so ORDERED September 14, 2006.

Original Signed By: \_\_\_\_\_  
Donald A. Chu, P.T., President  
Physical Therapy Board of California